



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0004/1
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2021 SENATE BILL 326

April 28, 2021 - Introduced by Senators CARPENTER, AGARD, LARSON, ERPENBACH, JOHNSON, RINGHAND, ROYS, SMITH and L. TAYLOR, cosponsored by Representatives SNODGRASS, NOVAK, CABRERA, NEUBAUER, SPREITZER, ANDERSON, ANDRACA, BALDEH, BILLINGS, BOWEN, BROSTOFF, CONLEY, CONSIDINE, DOYLE, DRAKE, EMERSON, GOYKE, HEBL, HESSELBEIN, HINTZ, HONG, KITCHENS, MILROY, L. MYERS, POPE, RIEMER, S. RODRIGUEZ, SHANKLAND, SHELTON, SINICKI, SUBECK and VINING. Referred to Committee on Human Services, Children and Families.

1 **AN ACT to create** 51.608, 448.015 (4) (am) 4., 455.09 (1) (gm) and 457.26 (2) (i)
2 of the statutes; **relating to:** prohibiting conversion therapy.

Analysis by the Legislative Reference Bureau

This bill prohibits certain mental health providers from engaging in conversion therapy with a minor. Conversion therapy is any practice that seeks to change an individual's gender expression, gender identity, or sexual orientation, but does not include counseling or therapy that provides acceptance, support, and understanding of the individual; counseling or therapy that facilitates an individual's coping, social support, and identity exploration and development; or, counseling for an individual seeking to transition from one gender to another. In addition, the bill specifies that a violation of the prohibition in the bill by a mental health provider is grounds for professional discipline by the appropriate credentialing board.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 51.608 of the statutes is created to read:
4 **51.608 Conversion therapy prohibited. (1) DEFINITIONS.** In this section:
5 (a) 1. "Conversion therapy" means any practice that seeks to change an
6 individual's gender expression, gender identity, or sexual orientation, including

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1 efforts to change behaviors or to eliminate or reduce sexual or romantic attractions
2 or feelings toward individuals of the same sex.

3 2. "Conversion therapy" does not include any of the following:

4 a. Counseling or therapy that provides acceptance, support, and
5 understanding of the individual or the facilitation of an individual's coping, social
6 support, and identity exploration and development, including sexual
7 orientation-neutral interventions to prevent or address unlawful conduct or unsafe
8 sexual practices.

9 b. Counseling for an individual seeking to transition from one gender to
10 another.

11 (b) "Mental health provider" means any of the following:

12 1. A physician licensed under ch. 448.

13 2. A psychologist licensed under ch. 455.

14 3. A marriage and family therapist licensed under s. 457.10 or 457.11.

15 4. A professional counselor licensed under s. 457.12 or 457.13.

16 5. Any social worker who holds a license or certificate granted under ch. 457.

17 6. A person who is practicing under a valid training or temporary license or
18 certificate granted under ch. 457.

19 7. A student, intern, volunteer, or other person assisting or acting under the
20 direction of an individual described in subs. 1. to 6.

21 **(2) CONVERSION THERAPY PROHIBITED.** No mental health provider may engage
22 in conversion therapy with an individual who is under 18 years of age.

23 **SECTION 2.** 448.015 (4) (am) 4. of the statutes is created to read:

24 448.015 (4) (am) 4. A violation by a physician of s. 51.608 (2).

25 **SECTION 3.** 455.09 (1) (gm) of the statutes is created to read:

